

Dec 14, 2007

Commission's Secretary
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Federal Communications Commission
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Re: WC Docket No. 06-210
CCB/CPD 96-20

Further Comments of Petitioners

Dear FCC

Petitioners very quickly scanned AT&T's filing yesterday and will be responding in detail. Petitioners would like AT&T to supplement its brief in the mean time to answer the below issues, while waiting on petitioners response.

AT&T would like to argue 2.1.8 as if it was pure theory in a text book and have total amnesia as to what AT&T's actual conduct was in the marketplace as it kept revising section 2.1.8 over 13 years (1989-2001).

The ultimate problem AT&T has is that it correctly asserted to Judge Politan that it did tens of thousands of "traffic only" transfers; however it simply **can not provide one example** of S&T obligations transferring on a "traffic only" transfer.

Obviously AT&T's conduct of not transferring S&T obligations was based upon **AT&T's own interpretation for "traffic only" transfers under 2.1.8.** As you are aware AT&T's **original position** that S&T obligations do not transfer on "traffic only" transfers was the correct interpretation.

Given the fact that AT&T processed tens of thousands of "traffic only" transfers as per petitioners interpretation of 2.1.8, this is conclusive that 2.1.8 was **not explicit even to AT&T.**

As AT&T is aware by law the FCC must rule against AT&T if the tariff is not explicit. Given the fact that in 13 years not one Court could totally figure 2.1.8 out is conclusive that 2.1.8 was **not explicit.**

In quickly scanning AT&T's new filing it is as usual long on adjectives but **short on critical evidence**. AT&T by law must lose on the fact that 2.1.8 was not explicit. In all comes down to AT&T's lack of evidence which supports the fact that AT&T itself interpreted 2.1.8 as petitioners always have, with S&T obligations not transferring on "traffic only" transfers.

AT&T needs to go back and read its counsel Mr Meade's certification as he addresses AT&T's **"problem"** with 2.1.8 for the entire industry, because 2.1.8 separated S&T obligations from the transferred traffic. AT&T needs to go back and read AT&T's statements to the DC Circuit that S&T obligations don't transfer and that the FCC was correct in 2003 on obligation allocation.

AT&T needs to go back and read AT&T's assertions to the Court and the FCC which stated that the reason why AT&T filed Transmittal 8179 was due to its concession that 2.1.8 was **not clear and AT&T was trying to make it clear**.

We ask AT&T to supplement its brief and address the zero evidence issue and AT&T's many concessions that 2.1.8 was not explicit, and justify to the FCC why the FCC should totally disregard the law that tariffs must be explicit.

Absence a supplemental filing by AT&T to address its concession that 2.1.8 was not explicit renders AT&T's new filing totally moot. What AT&T is doing by asserting another interpretation for 2.1.8 is self defeating as it is a concession that is 2.1.8 must not have been explicit in the first place.

Why does AT&T believe it has the right to demand special FCC dispensation of its obligation that tariffs must be explicit? Petitioners will respond in full to AT&T's 88 page brief as soon as possible. In the mean time we believe the FCC deserves to hear AT&T's justification why it should be held above the law.

Respectfully Submitted
One Stop Financial, Inc
Winback & Conserve Program, Inc.
Group Discounts, Inc.
800 Discounts, Inc
Tips Marketing Services, Corp

/s/ Al Inga
Al Inga President